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ABSTRACT

Awareness of the importance of education in the achievement of national goals has led to an increasingly important role for the Federal Government in financing and governing education, particularly in those areas contributing the most to the achievement of national priorities. This increased participation of the Federal Government in education has resulted in (1) awareness of the fact that a new relationship has been formed among the federal, State, and local levels; and (2) a rise to the State level and to the federal level in some areas of decisionmaking powers in education. It is therefore essential that questions of respective responsibilities and accountabilities be settled, that appropriate relationships be established, and that a mechanism be created for incorporating the views of each level for educational policy development and for identification of national priorities. (Author/WM)

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TOPIC: EDUCATIONAL GOVERNANCE THE GOVERNOR? THE LEGISLATURE? THE BOARD OF EDUCATION?

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The formal structure of school governance is made up of a federal government, fifty state governments, a large number of intermediate units (including counties), and more than 20,000 local school districts. Thousands of laymen serving as board members, legislators, congressmen, jurists, citizen committees, and general volunteers are involved in establishing educational policy throughout the different levels of government.

The legal structure of school governance is divided into three levels: the federal government, the state government, and local units (intermediate units may be thought of as belonging either to the state level or the local level, depending upon the functions to be carried out by the intermediate unit).

One of the most significant developments in American education is the increased awareness of education's importance for the achievement of our national goals. The result of this increased awareness is the emergence of the federal government in an increasingly important role in financing and governing education, particularly in those areas which will contribute to the achievement of national priorities. Financial aid from the federal government is virtually exclusively in the form of categorical aid. It focuses on identified critical areas of weakness, the strengthening of which is seen as a vital contribution to the achievement of national goals. The increased participation of the federal government in education has resulted, in part, in (1) the awareness of the fact that a new partnership has been formed among the federal, state and local levels rather than the traditional two; that is, state and local; (2) decision making power in education is increasingly rising to the state level and shows some signs of rising to the federal level in certain areas.

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All three branches of the federal government, the executive, legislative and judicial, are involved in the governance of education. The President proposes budgets, signs or vetoes education bills, and emphasizes national priorities. The Congress translates policies

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into action programs by passing legislation and the judicial branch exerts considerable influence in the governance of education by virtue of its decision. State level government, by and large, duplicates or attempts to model itself upon the federal government by virtue of the fact that there are also three branches: executive, legislative and judicial, at the state government level, Governors are becoming increasingly interested in education and this interest is evidenced in part by the fact that some governors are attempting to exert more influence on education by seeking more power over educational matters. They seek this power by proposing to change the selection method of state boards of education and chief state school officers. Appointment by the governor of either the state board of the state superintendent of public instruction or both, they contend, would place more power in the hands of the executive branch and the people could hold accountable a more specific office than is presently the case.

At the local level, the analogy into three branches of government begins to break down. While it is true that the local school board may be analogous to the state legislature and to the national Congress in that it makes policy, the analogy to the executive branch is weakened by the fact that the superintendent is an employee of the board and is responsible to it, is not elected to his office by an electorate, and does not have, in general, any powers except those bestowed upon him by the board of education.

The current ferment in education is a reflection and an integral part of the dissatisfaction and unrest exhibited in society as a whole. Issues which were vigorously discussed - and presumably resolved - several decades ago are being debated again. The demands of lay people particularly minority groups, to have a greater voice in the policy making procedures of the local schools, is injecting an element of stress into the governance of education. Many innovations in instruction which have been introduced in order to satisfy the demands of parents and students have been found wanting. One of the reasons why so many innovations have failed may be the fact that they are introduced into a matrix of the traditional form of governance in education. As a result, many changes in administration and governance are being proposed at the local, state, and national levels.

One of the most important functions to be carried out by any level of governance is that of resource allocation. Recent court decisions relating to civil rights have resulted in increased emphasis on equal educational opportunity. Patrons in many school districts, because of their increased interest in education and concern for equal educational opportunity for their children, have instituted suits alleging that the method of financing schools is discriminatory in its effect upon pupils. Plaintiffs allege that the method of financing education penalizes students living in poor districts and results in tax payers in these districts having to bear a heavier burden to obtain inferior to, the education obtained by children of parents who reside in richer districts. Discrimination on the basis of geographic location is claimed. The remedies that are asked vary from mandating the reallocation of funds by the legislature (as exemplified by suits in California, Michigan, Texas, Virginia, Minnesota, and Wisconsin) to reallocation by the courts if the legislature fails to act (California, Texas, Virginia, and Wisconsin) and to declaring the method of allocation unconstitutional (Illinois).

One of the cases (Serrano vs. Priest) has been decided by the California Supreme Court. The opinion of the court essentially declares that any system of school finance which makes the quality of education of any student a function of the wealth of the district in which he resides rather than of the wealth of the state as a whole violates the equal protection clause of the 14th Amendment. In denying a motion to dismiss, the judge of a Federal District Court in Minnesota recently declared that the reasoning followed in Serrano vs. Priest was essentially correct. Similar suits have been filed or intentions to file have been declared in at least 21 states. Although the essence of these complaints is the financial system for the support of education, the implication of full, or nearly full, state funding of education are immense.

Because of the constitutional question involved, it is imperative that both schoolmen and legislators realize that the court may force the issue of inequality by holding any school financing system illegal or inequitable per the Serrano standard.

To those people who say, they do not want federal or state control of their schools, and rally to the aegis of local control, I say, make sure your state practices equity to make certain equal educational opportunity to all not based on conditions of wealth and you will make the grade.

These questions must be answered:

1. What are the respective responsibilities of each level of government to (a) assure every child a minimum level of education opportunity, (b) upgrade the quality of education throughout the country, and (c) stimulate school systems to meet categories of national need and can the role of each level of government be rationalized and generally accepted?

2. How can responsibility and accountability be applied at each level?

3. What are the appropriate relationships between the executive (Governor, Mayor) and school boards, commissions, and the chief state school officer?

4. How can the concept of new federalism be applied to the educational field?

5. Can a mechanism for incorporating the views of each level be established for educational policy development and for identification of national priorities? If so, what would be the best mechanism?

Federal responsibilities are to (1) provide substantial educational to the states in the form of general aid, so as to make educational services more nearly equal between and within states. (2) consolidate federal categorical aid into a few "block grants," (3) complete the annual appropriations process in time to permit effective planning by state and local education agencies, (4) assume primary responsibility for financing and coordinating research and development for education,

and (5) develop and help finance in cooperation with state and local education agencies an inter-connecting system of educational data and information collection.

State responsibilities are to (1) maintain a free public school system, (2) set goals and objectives and provide appropriate evaluation of the accomplishment of these goals, (3) require attendance at an education institution of all children and youth between the ages of 6 and 16, (4) insure that no child will be denied admission to any public school because of his race, religion, or ethnic origin, (5) insure that all elementary and secondary schools maintain a program of instruction designed to meet the varying needs of all children and youth in the state, (6) encourage innovation and development of new education programs, (7) provide for a uniform, comprehensive system of educational data and management information, (8) provide improved evaluation and planning competency at the state level, (9) assure adequate financial resources without excessive local tax burden, and (10) complete the annual appropriation process in time for effective planning by local education agencies.

Local responsibilities are to (1) employ, assign and dismiss staff and negotiate contracts concerning salaries and employee benefits under general procedures established by law, (2) plan, design and construct educational facilities, (3) levy local or regional taxes to supply part of the operating and facilities costs, (4) develop with local citizens the educational goals and objectives for each school area or region, and (5) establish and implement procedures for periodic and systematic review of the scope and effectiveness of its educational program, including evaluation of achievement versus its preset goals and objectives.

Accountability appears to be akin to motherhood. Unfortunately, the method by which one achieves accountability is not nearly so well agreed upon as the method by which one achieves motherhood. Some argue that accountability should be implemented at the school building level, not at the district or state level. Others favor departments of education to achieve statewide accountability. Some think that categorical aid should be related to student test scores. Others feel that categorical aid should be granted to schools upon the basis of educational services rendered to students not upon their test scores. It is clearly recognized that there is need for accountability.

An examination of the current literature in the field reveals that there is no generally accepted definition of accountability and that theorists are only now beginning to turn their attention to the development of a viable system of accountability. Given the present state of the art, it is clear that we are sailing in uncharted waters.

Generally most people agree with the following statements:

1. Since local education agencies are becoming administratively and fiscally more dependent upon state government, they should not be dependent administratively or fiscally upon general city or county government.

2. To make local school systems responsive to local and parental concerns, school boards should be elected by the people.

A second question pertaining to the relationship between local educational agencies and local general government is posed:

To assure coordination between public schools and other local government services, the public school system should be a department of city or county government responsible to the chief executive officer of the city or county.

Some believe that the state education agency should be responsible to the state board of education. Some believe that the chief state school officer should be appointed by the state board of education and believe that the state board of education should be appointed by the governor; or that the state board of education should be elected by the people.

The question about the structure of educational government is subject to much discussion. Dr. Allan Campbell of Syracuse University suggests a new structure for education which would have the following characteristics:

1. Full state assumption of financial responsibility education;

2. A large increase in federal aid with strong guidelines for focusing the aid on education need;

3. A decentralized system of local districts below the state level (with perhaps a regional level between the state and these decentralized districts).

4. Only if a regional system is used would a local financial supplement be permitted;

5. At the state level, education should become an executive department like any other, with its head appointed by the governor.

Yet Professor Roald Campbell of Ohio State University expressed the view that "state boards of education should be retained and state board members should be appointed by the governor with the approval of the senate." He emphasized that such board members would be "in a good position to interact with the governor regarding the problems and needs of education in the state."

The chief state school officer, according to Roald Campbell, should be appointed by the state board of education and be accountable to the board. In addition to the traditional functions of the state education agency, the chief state school officer and his staff should place greater emphasis upon planning and evaluation.

There is general agreement that education is a state function and that local educational agencies are state agencies. For this reason, they should be independent of general county or city government.

There was some disagreement, however, concerning the best structure for educational government at the state level. The conflicting views of Dean Allan Campbell and Professor Roald Campbell have been noted. The former would have the chief state school officer appointed by the

governor; the latter recommends appointment of the chief state school officer by the state board of education.

An examination of the extensive literature in this field indicates a sharp division. By and large political scientists believe that the board and chief state school officer should be subject to appointment and control by the chief executive officer of the state, that is, the governor; whereas educators prefer a method which gives some measure of independence from both the executive and legislative branches of the government.

The federal government should concentrate upon interstate and fiscal problems, leaving the operational control to state and local educational agencies. The federal share of the cost of public education should be increased until the federal contribution reaches an optimum of approximately 30% of the total cost.

The following statements generally pertain to the federal role:

1. There should be a Secretary of Education in the President's Cabinet.

2. The federal government should consolidate its numerous categorical aids for education into a few "block grants".

3. The federal government should share its revenues with states and municipalities for general governmental purposes, including, but not limited to education.

4. Federal aids for public elementary and secondary schools should be designed to equalize educational programs and services among states.

Serious consideration should be given to the formation of a national committee on educational policy development to which members would be appointed by the President, perhaps even with confirmation by the Senate. The members would be the best people to be found and would represent all three levels of government, as well as lay citizens and professional educators. It would be empowered to employ a small staff and would have the power to hold hearings on all aspects of education and would make periodic reports to the people, not just to the President to the Congress, or to the profession. It would be concerned primarily with the development of national goals and policies, but its report to the people could also pinpoint the areas of critical need and recommend actions necessary to meet these needs at all three levels of government.

However, if the budget cuts proposed by the Nixon administration survive Congressional action, there will be a drastic switch in formative governance in education to the state and local boards from the federal area.

This development is especially disconcerting because it is an inconsistent step after a revenue sharing concept brought a tremendous influx of funds into the state and local municipalities and had represented the start of a federal-state partnership from which many things

could have been accomplished.

. Now this shift may well presage a startling change in governance. If federalism takes a back seat, the state may take over as the dominant governing body since errano decisions may force the issue. Local systems should prepare for this factor.

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